

# **EXHIBIT 1**

**From:** [Bruce Brown](#)  
**To:** [Harry Martin](#)  
**Cc:** [Cross, David D.](#); [Bryan Tyson](#); [Vincent Russo](#); [Josh Belinfante](#); [Carey Miller](#); [Cary Ichter](#); ["Russ Abney"](#); [Rob McGuire](#); [Halsey G. Knapp, Jr.](#); [Kaiser, Mary](#); [cheryl.ringer@fultoncountyga.gov](mailto:cheryl.ringer@fultoncountyga.gov); [Adam M. Sparks](#); [david.lowman@fultoncountyga.gov](mailto:david.lowman@fultoncountyga.gov); [Conaway, Jenna B.](#); [Jill Connors](#); [Daniella P. Stucchi](#); [Middleton, Caroline L.](#); [Coalition for Good Governance](#)  
**Subject:** Re: Curling v. Raffensperger  
**Date:** Tuesday, September 6, 2022 5:37:40 PM

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Thank you Mr. Martin.

Here are the issues that the Plaintiffs would like to discuss with Judge Totenberg:

1. Plaintiffs would like to update the Court on the progress of discovery relating to the breach of Georgia's voting system in Coffee County. Plaintiffs have conducted substantial discovery since the last conference with the Court, including depositions or document subpoenas served on former Coffee County election officials (James Barnes, Misty Hampton, Jil Riddlehoover, Eric Chaney), local politicians involved in the breach (Cathy Latham), the 30b6 of the Coffee County Board of Elections, the 30b6 of SullivanStrickler (the firm that made forensic copies of the voting equipment and devices), Paul Maggio (who led the Sullivan Strickler team), Ben Cotton (one of the "experts" who downloaded the Georgia election software from the internet and analyzed it), Doug Logan (Cyber Ninjas founder who appears in security video of the Coffee County elections office on multiple occasions), two members of the State Election Board, and Robert Sinners. We have attempted without success to serve subpoenas on Scott Hall (who, along with Sidney Powell, appears to have helped orchestrate the breach), and Detroit lawyer Stephanie Lambert (who engaged Ben Cotton to examine the Coffee County software). Both Ms. Lambert and Mr. Hall have to date evaded service.

Discovery that has been initiated but not finished includes: the 30b6 deposition of the State Defendants (Gabe Sterling, postponed by agreement), the depositions of Misty Hampton and Doug Logan (who have been subpoenaed but to date not appeared for deposition), and compelling the production of documents from Logan (the subject of a motion to compel to be filed soon in U.S District Court in Florida).

2. Though Plaintiffs have devoted substantial resources to complete the Coffee County discovery by the Court's September 2, 2022 deadline, Plaintiffs need additional time to finish the discovery already initiated and to complete the following discovery:

A) Document and deposition subpoena to Jeffrey Lenberg, computer expert, seen on the Coffee County video repeatedly entering and exiting the

Coffee County elections office shortly after the SullivanStrickler team copied the software in January 2021. Plaintiffs did not see the video or know of Lenberg's involvement in the Coffee County breach until last week (the Coffee County BOE previously had repeatedly denied any such video existed).

B) Documents and deposition subpoena to Alex Cruce, identified as a "programmer" and colleague of Scott Hall, seen on the video entering the Coffee County elections office the day the software was copied.

3. Access for Plaintiffs' experts to the EMS server and ICC seized by the Secretary from Coffee County in June 2021 to compare the files on those devices to the files copied by Sullivan Strickler for the purpose of assessing the impact of the breach on the voting system.

4. The unsealing of Dr. Halderman's report. Plaintiffs believe that, particularly in light of these recent developments, Dr. Halderman's redacted report should be unsealed immediately, especially since CISA and Dominion have approved that release. State Defendants do not oppose this request and of course Secretary Raffensperger has publicly called for the report's release himself.

5. The "de-designation" of the documents produced by Paul Maggio as not confidential. These documents were not marked confidential by Maggio, but the State Defendants designated *all* documents produced by Mr. Maggio as confidential after their production, including emails, text messages, invoices, and photos involving third parties. Plaintiffs will be filing a motion for this relief soon.

6. The 30b6 of the Secretary's Office and outstanding discovery requests from Plaintiffs require resolution by the Court of State Defendants' sweeping claim of investigative privilege. Plaintiffs need to update the Court on important fact developments regarding that issue and obtain the Court's guidance on how to proceed so as to resolve that issue quickly.

7. As far as Plaintiffs are aware, the Secretary and the State Election Board have taken no action to address the massively increased election security risk caused by the breach of Georgia's election systems in Coffee County. Counties have the authority to use hand marked paper ballots in the event of an emergency. Plaintiffs believe that these circumstances constitute an emergency and that the State Defendants, consistent with Georgia law and necessary to protect Plaintiffs' U.S. Constitutional rights, should direct the counties to use hand marked paper ballots instead of the Dominion BMDs, at least until the full ramifications of this breach of the statewide system can be understood and addressed.

Many thanks,

Bruce Brown and David Cross

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**From:** Harry Martin <Harry\_Martin@gand.uscourts.gov>

**Date:** Tuesday, September 6, 2022 at 1:28 PM

**To:** "bbrown@brucebrownlaw.com" <bbrown@brucebrownlaw.com>

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**Subject:** RE: Curling v. Raffensperger

Mr. Brown,

Judge requests that you provide a brief outline as to the nature of your request. Return email to me is sufficient.

Thank you,

Harry F. Martin  
Courtroom Deputy Clerk  
to the Honorable Amy Totenberg  
2388 United States Courthouse  
75 Ted Turner Dr., S.W.  
Atlanta, Georgia 30303-3309  
(404) 215-1437

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**From:** Bruce Brown <bbrown@brucebrownlaw.com>

**Sent:** Tuesday, September 6, 2022 8:19 AM

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**Subject:** Curling v. Raffensperger

**CAUTION - EXTERNAL:**

Mr. Martin,

Plaintiffs need a telephone conference with Judge Totenberg at her earliest opportunity to address recent developments in Plaintiffs' Coffee County discovery. We know that the Judge is extremely busy, but we believe a short conference is necessary and would be beneficial to the Court and the parties. We do not believe the conference needs to be confidential or attorneys only and that it would be beneficial to have client representatives from each of the State Defendants and the plaintiffs, and the parties' technical experts, present.

Many thanks,

Bruce Brown

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